UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,110	12/21/2000	Arnoldus Johannes Juliana Boudewijns	PHN 17,830	1476

24737	7590	09/08/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER
ABDULSELAM, ABBAS I

ART UNIT	PAPER NUMBER
2677	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 August 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/25/05

has been entered.

2.   Applicant's arguments with respect to claims 1-8 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kage

et al. (USPN 6377241) and in view of Hashimoto et al. (USPN 5554980).

Regarding claim 1, Kage et al. (herein after = "Kage") teach an information

processing device Fig. 9 (101) connectable to a displacement signal generating device

(Fig. 9 (104)), characterized in that a memory is present (Fig. 9 (102)), and in that means are present for, upon clicking of the displacement signal generating device button (Fig. 11), assigning to the information processing device pointer coordinates as a function of pointer coordinates present in the memory at a point in time prior to said clicking of the displacement signal generating device button (col. 10, lines 61-67, col. 11, lines 1-4, col. 14, lines 9-28 and Fig. 10 (5)).

However, Kage does not specifically teach, "means for storing pointer coordinates in the memory on a first-in first-out basis". Kage on the other hand teaches a coordinate updating section (5) in which coordinates of a pointer stored in a memory are updated (col. 11, lines 18-20).

Therefore, it would have been to one of ordinary skill in the art at the time the invention was made to utilize kages' coordinate updating section (5) for the manner by which pointer coordinates are stored. One would have been motivated in view of the suggestion that coordinate updating section (5) is functionally equivalent to "storing based on first in first out basis".

Kage does not teach "prevention of unwanted movement of the displacement signal generating device at the instant of the clicking from introducing an error in the pointer coordinates.

Hashimoto on the other hand teaches a remote control system comprising a means for inhibiting the movement of the cursor due to output of the movement detecting means for a period after the selection switch is manipulated for the selection of the icon and until a predetermined time has elapsed after such manipulation of the selection switch such

that when the remote control unit is moved due to the pressing of the selection switch,

movement of the cursor is prevented.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Kage's direction instructing system shown in Fig.

11 to adapt Hashimoto's means of inhibiting the movement of the cursor because the

inhibition of the movement of the cursor avoids unintentional instruction from being sent

to a display as taught by Hashimoto.

Regarding claim 2, kage teaches the function enables pointer coordinates that

have been present in the memory for the longest period of time to be assigned to the

information-processing device (Fig. 4A-C and col. 8, lines 21-33).

Regarding claim 3, Kage teaches the function enables pointer coordinates to be

assigned to the information processing device, which pointer coordinates are an average

of certain pointer coordinates inputted into the memory during a first predetermined

period of time before clicking and during a second predetermined period of time after

clicking (Fig. 4A-C, col. 8, lines 21-33 and col.9, lines 20-39).

Regarding claim 4, Kage teaches the function enables pointer coordinates to be

assigned to the information processing device, which pointer coordinates are an average

of certain pointer coordinates inputted into the memory during a first number of

information processing device clock cycles before clicking and during a second

predetermined number of information processing device clock cycles after clicking (Fig. 4A-C, col. 8, lines 21-33 and col.9, lines 20-39).

.   .

Regarding claim 5, Kage teaches the second period of time and the second predetermined number of information processing device clock cycles, respectively, are zero, and in that the function enables pointer coordinates that are an average of certain pointer coordinates present in the memory at the instant of clicking to be assigned to the information processing device (Fig. 4A-C, col. 8, lines 21-33 and col.9, lines 20-39).

Regarding claim 6, Kage teaches certain pointer coordinates present in the memory at the instant of clicking are all pointer coordinates present in the memory at the instant of clicking (Fig. 10 (4, 5)).

Regarding claim 7, Kage teaches the means for assigning comprise a computer program (col. col. 6, lines 23-27).

Regarding claim 8, Kage teaches at least the memory, or the storing means, or the means for assigning, are at least partly present in the displacement signal generating device (col. 10, lines 31-37).

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art is cited for further reference.

U.S. Pat. No. 6,396,477 to Hinckley et al.

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Abbas I Abdulselam whose telephone number is (571)

272-7685. The examiner can normally be reached on Monday through Friday from 9: 00

A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for

the organization where this application or proceeding is assigned is (571) 73-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Abbas Abdulselam

Examiner

Art unit 2677

August 29, 2005

XIAO WU
PRIMARY EXAMINER